

IN THE UNITED STATE DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
SEATTLE DIVISION

JULIE JAY, an individual,

Plaintiff,

v.

PORT OF SEATTLE, a special purpose
municipal corporation and DOE
CORPORATIONS 1-5,

Defendants.

Case No. 2:21-cv-01232

NOTICE OF REMOVAL OF ACTION
UNDER 28 USC § 1441; 28 USC § 1331;
AND 28 USC § 1332(a)(2)

(Clerk's Action Required)

King County Superior Court
Case No. 21-2-10724-5 KNT

TO: THE CLERK OF THE COURT

AND TO: ALL PARTIES OF RECORD AND THEIR COUNSEL.

PLEASE TAKE NOTICE that Defendant Port of Seattle hereby gives notice of the removal of the above-captioned action, Cause No. 21-2-10724-5 KNT currently pending in the Superior Court of King County, Washington, to the United States District Court for the Western District of Washington at Seattle on the grounds set forth below:

I. STATE COURT ACTION

The State Court action to be removed is *Julie Jay v. Port of Seattle, et al.* was filed in King County Superior Court, State of Washington, on August 13, 2021, and served upon Defendant Port of Seattle on August 13, 2021. A true and correct copy of the Complaint for

1 Damages filed in King County Superior Court Case No: 21-2-10724-5 KNT is attached as
2 **Exhibit A**. This is a civil action arising out of negligence, with claims made by Plaintiff for
3 money damages being sought.

4 **II. TIME FOR REMOVAL**

5 This Notice of Removal is timely. Under 28 U.S.C. § 1446(b)(1), a defendant must file a
6 notice of removal within 30 days after receipt of a copy of the initial pleading, through service or
7 otherwise, setting forth the claim for relief upon which such action or proceeding is based. Here,
8 Defendant received notice of the initial pleading on August 13, 2021, when Plaintiff's Complaint
9 and Summons were served on Defendants via email correspondence. This Notice of Removal is
10 being filed within thirty days of receipt of the Complaint.

11 **III. GROUNDS FOR REMOVAL**

12 Defendants remove this case to federal court pursuant to 28 USC § 1441 and 28 USC §
13 1332(a)(2) based on this Court's original jurisdiction in which the matter in controversy exceeds
14 \$75,000.

15 Additionally, Plaintiff and Defendants are citizens of different States. Plaintiff is a
16 resident of the State of Arizona. Defendant is a public entity, located in the State of Washington.
17 Defendant is authorized and do conduct business in King County, State of Washington. 28 USC
18 § 1332(a) states that the United States District Courts shall have original jurisdiction over all
19 civil matters meeting these standards.

20 **IV. REQUIRED DOCUMENTS**

21 Defendants will promptly give written notice to all adverse parties. 28 USC § 1446(d).

22 In accordance with 28 USC § 1446 and LCR 101 (b)(1) and (3), a copy of the operative
23 Complaint is attached and filed herewith as **Exhibit A**.

24 Opposing counsel is listed below and is being served with a copy of this Notice as set
25 forth in the Declaration of Service below in accordance with LCR 101(b)(2).

26 Defendants will answer Plaintiff's Complaint for Damages within 7 days after the notice
27 of removal is filed. Fed. R. Civ. P. 81(c)(2)(C).

1 DATED: September 9, 2021

LEWIS BRISBOIS BISGAARD & SMITH LLP

2
3 s/William W. Simmons

4 William W. Simmons, WSBA# 35604

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11 Attorneys for Defendant Port of Seattle

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury under the laws of the State of Washington that on September 9, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following counsel record and served them via the parties agreed eservice agreement:

<p><i>Attorney for PLAINTIFFS</i> Parker D. Davidson., WSBA #49746 SEARS INJURY LAW PLLC 929 East Main, Suite 305A Puyallup, WA 98372 (253) 286-7444 / (253) 435-8919 Fax</p>	<p><input type="checkbox"/> via U.S. Mail, first class, postage prepaid <input type="checkbox"/> via Legal Messenger Hand Delivery <input checked="" type="checkbox"/> via CM/ECF System <input checked="" type="checkbox"/> via E-mail per Eservice Agreement: parker@searsinjurylaw.com jamie@searsinjurylaw.com mjh@harperazlaw.com lac@harperlawaz.com 07d564274+matter1392069691@maildrop.clio.com</p>
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Dated September 9, 2021 at Seattle, Washington.

s/Tami L. Foster
Tami L. Foster, Legal Secretary
Tami.Foster@lewisbrisbois.com